

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

-against-

JOHN B. HENRY,

Defendant.

No.: 16-cr-2724 (WJ)

UNOPPOSED MOTION TO DISMISS
OUTSTANDING PETITION TO REVOKE SUPERVISED RELEASE

Wayne Baker, Esq., court-appointed counsel for defendant John Henry, who, with the concurrence of Assistant United States Attorney Zachary Jones and United States Probation Officer Martine Lopez-Bowers, hereby moves this Honorable Court to dismiss the outstanding Petition to Revoke Supervised Release, and in support thereof, states as follows:

1. On November 7, 2022, U.S. Probation filed a Petition for Revocation of Supervised Release (Doc. 235) indicating Mr. Henry violated a mandatory condition of supervision when he submitted a urine sample positive for amphetamines and fentanyl on October 31, 2022. Additional allegations of noncompliance with standard and special conditions were noted.

2. On November 18, 2022, Defendant appeared before MJ Fashing (Doc. 243) and submitted waivers of preliminary hearing (Doc. 245) and detention hearing (Doc. 246)

and an Order of Detention was entered (Doc. 247). At the hearing, it was noted that an attempt to get Mr. Henry into an in-patient treatment facility would be endeavored.

3. Mr. Henry was accepted into NCI on January 30, 2023, and an unopposed motion requesting his release to NCI (Doc. 250) was simultaneously filed, and the Court's Order granting the motion (Doc. 231) was entered on January 31, 2023.

4. On February 1, 2023, Mr. Henry began his in-patient drug treatment program at NCI, and he successfully completed the 90-day plan.

5. Mr. Henry is currently residing at Diersen Charities Halfway House.

6. As Mr. Henry has successfully completed the drug treatment program, it is respectfully requested, with concurrence by his Probation Officer Martine Lopez-Bowers and the assigned AUSA Zachary Jones, that the Petition to Revoke Supervised Release be dismissed and Mr. Henry continue on his supervised release term.

Respectfully submitted:

Wayne Baker

Wayne Baker, Esq.
14112 Piedras Road, NE
Albuquerque, NM 87123-2323
(505) 652-4222
Attorney for Defendant John Henry

I HEREBY CERTIFY that I electronically filed the foregoing with the Clerk of the Court on May 15, 2023, using the CM/ECF system.

Wayne Baker

Wayne Baker, Esq.